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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

FIRST UNITARIAN CHURCH OF LOS
ANGELES, *et al.*,

Plaintiffs,

v.

NATIONAL SECURITY AGENCY, *et al.*,

Defendants.

Case No. 13-CV-3287-JSW

**GOVERNMENT DEFENDANTS'
NOTICE OF DISMISSAL PURSUANT TO
THE PARTIES' JOINT STIPULATION
REGARDING DISMISSAL**

Pursuant to paragraph 2 of the parties' Joint Stipulation Regarding Dismissal, filed on September 8, 2023 (ECF No. 174) ("Joint Stipulation"), the Government hereby affirms that it has destroyed all remaining BR metadata collected under Section 215 in accordance with, and with the exceptions stated in, paragraph 3.E of the Notice Regarding Procedures for the Retention and Use After November 28, 2015, of Call Detail Records Previously Produced Pursuant to This Court's [the Foreign Intelligence Surveillance Court's] Orders (Attachment A to the parties' Joint Stipulation).¹

By operation of the terms of paragraph 2 of the Joint Stipulation, effective upon this filing:

¹ The terms "BR metadata" and "Section 215" as used herein have the same meanings, respectively, as those terms are defined in the parties' Joint Stipulation.

(a) pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, all claims in this case against the Government Defendants² are DISMISSED, with prejudice, all parties to bear their own fees and costs; and

(b) and pursuant to Rule 41(a)(1)(A)(i), all claims in this case against the Defendants named in their individual capacities³ are DISMISSED, with prejudice, all parties to bear their own fees and costs.

Dated: December 14, 2023

Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

/s/ James J. Gilligan
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² The Government Defendants are the National Security Agency (“NSA”); Gen. Paul M. Nakasone, in his official capacity as Director of the NSA; the United States Department of Justice; Merrick B. Garland, Attorney General of the United States, in his official capacity; Assistant Attorney General for National Security Matthew G. Olsen, in his official capacity; the Federal Bureau of Investigation (“FBI”); Christopher A. Wray, Director of the FBI, in his official capacity; Avril Haines, Director of National Intelligence, in her official capacity; and the United States of America.

³ The individual-capacity Defendants are former NSA Director Adm. (ret.) Michael S. Rogers; Eric H. Holder, former Attorney General of the United States; John P. Carlin, former Acting Assistant Attorney General for National Security; James B. Comey, former Director of the FBI; and Lt. Gen. (ret.) James R. Clapper, former Director of National Intelligence.